AN ORDINANCE

BY COUNCILMEMBER DERRICK BOAZMAN

00- ◯ -1846

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE I, SECTION 10-1 OF THE CITY OF ATLANTA CODE OF ORDINANCES TO DELETE THE CURRENT DEFINITION FOR THE TERM "PRIVATE CLUB"; TO INSERT IN LIEU THEREOF A NEW DEFINITION FOR THE TERM "PRIVATE CLUB"; TO AMEND CHAPTER 10, ARTICLE II, DIVISION 5, SECTION 10-209, SUBSECTIONS (C) AND (D) TO AMEND THE HOURS IN WHICH ALCOHOLIC BEVERAGES CAN BE SOLD IN PRIVATE CLUBS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in protecting the public safety and general welfare and is able to do so through the regulation of the sale of alcohol; and

WHEREAS, it is the stated purpose of the City 's Alcohol Code that the City establish reasonable and ascertainable standards for the regulation and control of the licensing and sales of alcohol while preserving residential areas and promoting desirable living conditions and sustaining stability of neighborhoods and property values; and

WHEREAS, the current definition of the term "private club" in the City's Alcohol Code authorizes establishments which have been exempted from having to pay federal income tax pursuant to Section 501(c) of the Internal Revenue Code to sell alcoholic beverages for on premises consumption if they meet certain requirements as provided in the Section 10-1; and

WHEREAS, the current definition of the term "private club" in the City's Alcohol Code authorizes establishments which were licensed as private clubs on the date the current definition of the term "private club" became effective to be exempt from having to provide written documentation of their exemption from federal income tax pursuant to Section 501(c) of the Internal Revenue Code; and

WHEREAS, certain establishments which may not be exempt from paying federal income taxes pursuant to Section 501(c) of the Internal Revenue Code have been able to continue to obtain licenses in the City of Atlanta to sell alcoholic beverages as private clubs; and

WHEREAS, the City of Atlanta desires to require that all establishments filing applications to sell alcoholic beverages as private clubs provide written documentation of their exemption from the payment of federal income taxes pursuant to Section 501(c) of the Internal Revenue Code; and

WHEREAS, Section 10-209 of the City's Alcoholic Beverage Code provides that

alcoholic beverages may only be sold during certain hours in establishments licensed to sell alcohol but further provides an exemption for those establishments licensed as private clubs; and

WHEREAS, the exemption does not promote desirable living conditions or assist in preserving residential areas or sustaining the stability of neighborhoods and property values; and

WHEREAS, the City of Atlanta desires to ensure that the purpose of the City's Alcohol Code is not frustrated by continuing to allow private clubs to sell alcoholic beverages at hours different from those hours during which other establishments may sell alcoholic beverages.

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APPROVED BY:

SUSAN PEASE LANGFORD
CITY ATTORNEY

☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☑ PERSONAL PAPER REFER

Date Referred	11/6/00
Referred To:	Public Safety
Date Referred	
Referred To:	
Date Referred	
Referred To:	

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee	Committee
Date	Date
Chair	Chair
Action:	Action:
Fav, Adv, Hold (see rev. side)	Fav, Adv, Hold (see rev. side)
Other:	Other:
Members	Members
Refer To	Refer To

Committee	Committee
Date	Date
Chair	Chair
Action:	Action:
Fav, Adv, Hold (see rev. side)	Fav, Adv, Hold (see rev. side)
Other:	Other:
Members	Members
Refer To	Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

MAYOR'S ACTION